administration of α_2-macroglobulin, and that the claims directed to α_2-macroglobulin "appear to be separately drawn" (Office Action, page 2, last line). The Office further contends that the proteases are well-known and, therefore, cannot be used to establish a special technical feature, which represents an improvement over the art.

Applicants point out that the claims of group (i) are directed to the administration of a protease, alone or in further combination with rutoside (see "optionally" in claim 9). The claims of group (ii) are directed to the administration of a protease and α_2-macroglobulin, in further combination with rutoside (claim 24, which depends from claim 14, which depends from claim 12) or *optionally* in further combination with rutoside (claims 19 (depends from claim 9), 20 (depends from claim 10) and 23 (depends from claim 13, which depends from claim 10)). The claims of group (iii) are directed to the administration of a protease and α_2-macroglobulin, in further combination with rutoside (claims 21 (depends from claim 11), 22 (depends from claim 12), 25 (depends from claim 15, which depends from claim 12) and 28 (depends from claim 18, which depends from claim 12)) or *optionally* in further combination with rutoside (claims 26 and 27). Hence, the Office has divided the claims between groups (i)-(iii) inconsistently, such that overlap between the claims of at least groups (ii) and (iii) is readily apparent, due to the administration of a protease and α_2-macroglobulin and the *optional* administration of rutoside. Furthermore, the administration of a protease and the optional administration of rutoside is common to all three of the groups.

Applicants disagree with the Office's contention that the claimed use of the combination of protease and rutoside has a separate utility from the claimed use of the combination involving the administration of α_2-macroglobulin. All of the claims are directed to the utility of the treatment of hyperactive T-cells.

The Office's construction of the claims directed to α_2-macroglobulin as appearing "to be separately drawn" is unsubstantiated. Further, the claims, on their face, evidence that such is not the case. Claims 10-28 directly or indirectly depend from claim 9.

Applicants respectfully submit that, even if, as the Office contends, the proteases are old and well-known in the art, their use in a novel and unobvious way can be used to establish a special technical feature representing an improvement over the art. The present invention is directed to the use of a protease, alone or in further combination with rutoside and/or α_2-macroglobulin, in the treatment of hyperactive T-cells. Applicants submit that the

use of the aforementioned active agents to treat hyperactive T-cells establishes a special technical feature representing an improvement over the art.

In view of the foregoing, Applicants submit that the requirement for restriction is improper. Accordingly, Applicants request the withdrawal of the restriction requirement *in toto*. At the very least, the claims of groups (ii) and (iii) should be searched and examined together. In so doing, the Office would, in essence, be searching for art relevant to the patentability of the claims of group (i). Hence, it is Applicants' position that the claims of group (i) also should be searched and examined with the claims of groups (ii) and (iii). This is not to say that the claims necessarily stand or fall together but, rather, that the overlap between groups of claims mitigates against the requirement for restriction.

Respectfully submitted,

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Date: March 26, 2003

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8			
I hereby certify that this Response to Office Action and all accompanying documents are, on the date indicated below, ☐ being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, or ☒ being facsimile transmitted to the U.S. Patent and Trademark Office, Attention: Examiner Jon P. Weber, Art Unit 1651, Facsimile Number 703-872-9306.			
Name (Print/Type)	LINDA A. CAMERON		
Signature	Linda A. Cameron	*Date*	March 26, 2003

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